

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES STEWART, SUE PEARCE, JOSEPH  
VIZZARD, WILIE JONES, TOLAN FURUSHO,  
and KEITH ROBERTSON, derivatively on behalf  
of Goldtech Mining Corporation, a Nevada  
Corporation

Plaintiffs,

vs.

TRACY KROEKER, RALPH JORDAN, JACK  
LASKIN, NANCY EGAN RICHARD SMITH,  
and SERGE BOURGOIN,

Defendants.

Case No. CV04-2130L


ORDER DENYING DEFENDANTS'  
MOTION FOR RECONSIDERATION

On August 29, 2005, the Court granted in part plaintiff's motion to amend the complaint in the above-captioned matter. Dkt. # 93. This matter comes before the Court on defendants' timely motion for reconsideration. Dkt. # 97. Such motions are disfavored in this district, however, and will be granted only upon a "showing of manifest error in the prior ruling" or "new facts or legal authority which could not have been brought to [the Court's] attention earlier without reasonable diligence." Local Civil Rule 7(h)(1).

Defendant argues that, based on the Court's analysis in its August 29th order, plaintiffs should be precluded from asserting new claims based on Goldtech's issuance of 1,000,000 to an undisclosed purchaser in October 2004. The Court declines to extend its

1 preclusionary ruling. Plaintiffs may not assert new claims based on the 2,200,000 shares issued  
2 by Goldtech to defendant Kroeker and/or on the sale of Goldtech's software subsidiary, Envyr  
3 Corp. All other claims included in the proposed amended complaint, including those based on  
4 the sale of an additional 1,000,000 shares of Goldtech, may be asserted.

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6 DATED this 2nd day of September, 2005.

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8 Robert S. Lasnik  
9 United States District Judge  
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